

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEEPTHI WARRIER EDAKUNNI, et al.,

CASE NO. 2:21-cv-00393-TL

Plaintiff(s),

V.

ALEJANDRO MAYORKAS, Secretary of the Department of Homeland Security,

ORDER GRANTING LEAVE TO
FILE THIRD AMENDED
COMPLAINT

Defendant(s).

This matter comes before the Court on Plaintiffs' motion to file a third amended complaint (Dkt. No. 84). Defendant does not oppose this amendment. Dkt. No. 85.

There is also a pending motion to file a proposed second amended complaint (Dkt. No. 60). The most recent amendment supersedes the earlier-filed proposed complaint. *See Rhodes v. Robinson*, 621 F.3d 1002, 1005 (9th Cir. 2010) (explaining that the filing of a second amended complaint renders the original complaint “non-existent”); *accord Ferdick v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992), *cert. denied*, 506 U.S. 915 (1992), (“after amendment the original

1 pleading no longer performs any function and is treated thereafter as non-existent") (internal
2 citation and quotation omitted).

3 Accordingly, the Court:

4 1. GRANTS Plaintiffs' Motion for Leave to File Third Amended Complaint (Dkt. No.
5 84); and
6 2. STRIKES as moot Plaintiffs' Motion for Leave to File Second Amended Complaint
7 (Dkt. No. 60).

8 Dated this 1st day of July 2022.

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10 Tana Lin
11 United States District Judge
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